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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,595	11/27/2001	Kenji Shumazaki	61282-017	8699
7590 12/03/2003				
McDERMOTT, WILL & EMERY 600 13th Street, N.W. Washington, DC 20005-3096				
EXAMINER NGUYEN, TUNG X				
ART UNIT PAPER NUMBER				

2829

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant No.

09/93,595

Applicant(s)

SHIMAZAKI ET AL.

Examiner

Tung X Nguyen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
- 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
- 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. The amendment filed on 11/04/03 has been entered and made of record as paper number 1103. Claims 1-10 are pending.
2. Applicant is requested to cancel the non-elected claims 11-28.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "*an equivalent circuit*", and "*analysis control information*" recited in claims 1-10 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. Figures 46, 46 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities:

6. "Fig. 6", and "Fig. 7" in brief description of the drawing should read ---Figs. 6a-6d---, and ---Figs. 7a-7d---

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear that "an equivalent power source current information calculating step of calculating information of an equivalent power source current flowing in a power source current, from circuit information of said LSI chip" recited in claims 1-10, because *what is the circuit information of the LSI chip? And is an equivalent power source current the same or difference to power source current? The term "the circuit information of the LSI chip" lack a clear support teaching in the specification.*

It is unclear that "estimating total information in which said analysis control information is reflected in said circuit information, as an equivalent circuit" recited in claims 1-10, because *what is an equivalent circuit? The term "an equivalent circuit" lack clear support teaching in the specification.*

To apply art, examiner assumes that the step of calculating information of an equivalent power source current is the same to calculating information of equivalent power source current flowing in a power source of the LSI chip, wherein the LSI chip being considered as an equivalent circuit.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. Claim 1 are rejected under 35 U.S.C. 102(a) as being anticipated by Masuda et al. (u.s.p 6,281,697).

As to claim 1, Masuda et al. disclose in Figs. 6-12, a method of analyzing electromagnetic interference from an integrated circuit comprising steps of: calculating (step 102 of figures 6, 12) information of an current flowing in the power source current (307 of figure 7) from the LSI chip (via sensor 304 of figure 7); estimating step of considering power source information of a power source for supplying a current to the LSI chip (col. 6, lines 45-50); and performing analysis in accordance with the total information which is estimated in the estimating step (col. 6, lines 57-65).

Due to the 35 U.S.C 112 second paragraph rejection above, no art can be applied to claims 2-10 at this time.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Needham et al. (u.s.p 5,570,034) Monitor current during testing of CMOS chip

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X Nguyen whose telephone number is (703) 305-3337. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (703)-308-1233. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

TN
11/24/03

David A. Zarneke
David A. Zarneke
Primary Examiner
11/26/03